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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/525,056	03/14/2000	Katsumi Karasawa	35.C14345	7623

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NEW YORK, NY 10112

EXAMINER

STEVENS, ROBERTA A

ART UNIT	PAPER NUMBER
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2665

10

DATE MAILED: 02/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/525,056

Applicant(s)

KARASAWA, KATSUMI

Examiner

Roberta A Stevens

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims, 1-17 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroshima (U.S. 5801781) in view of Moyal (U.S. 6430198).

3. Regarding claims 1, Hiroshima teaches (abstract and figures 4, 6 and 7) an information processing apparatus comprising: input means for inputting variable length packet data including packet length information indicative of a packet length and encoded information data;; judgment means for distinguishing the packet length information included in said packet data in accordance with said identification flag information and judging the packet length of said packet data; packet generating means for generating said variable length packet data into fixed length packet data in accordance with an output of said judgment means, and transmitting the fixed length packet data;

4. Hiroshima does not teach a generation means for generating identification flag information for discriminating the packet information wherein the identification flag information is not included in the variable length packet data.

5. Moyal teaches (column 2, line 45 – column 3, line 51 and figure 3) a generation means (22) for generating identification flag information for discriminating the packet information wherein the identification flag information is not included in the variable length packet data (figure 5). It would have been obvious to one of ordinary skill in the art to adapt to Hiroshima

Art Unit: 2665

Moyal's concept of generating a packet length indicator to obviate the need for length of the packet to be counted over and over again in the course of processing.

6. Regarding claims 2 and 13, Hiroshima teaches (figure 16) a clock reference information generating means for use in a time reference during decoding of encoded data.

7. Regarding claim 3, Hiroshima teaches (column 12, line 23-56) program specific information included in the data.

8. Regarding claim 4, Hiroshima teaches (figure 4) the input means inputs a plurality of types of variable length packet data.

9. Regarding claim 5, Hiroshima teaches (column 11, line 27 – column 12, line 57) the packet generating means transmits the fixed length packet data provided with the clock reference information, when no effective fixed length packet data is present.

10. Regarding claim 6, Hiroshima teaches (column 2) transmitting the fixed length packet data provided with the program specific information, when no effective fixed length packet data is present.

Art Unit: 2665

11. Regarding claims 7 and 15, Hiroshima teaches (column 1) the variable length packet data is PES conforming to ISO/IEC 13818-1, and the fixed length packet data is TS conforming to ISO/IEC 13818-1.

12. Regarding claims 8 and 16, Hiroshima teaches (column 11, line 27 – column 12, line 57) the clock reference information is PCR conforming to ISO/IEC 13818-1.

13. Regarding claim 9, Hiroshima teaches (column 12, line 23-56) the program specific information is PSI conforming to ISO/IEC 13818-1.

14. Regarding claim 10 and 17, Hiroshima teaches (column 1) the information data is image data, and is encoded in conformity with ISO/IEC 13818-2

15. Regarding claim 11 Hiroshima nor Moyal teach a stuffing byte. However, stuffing bytes are well known in the art and it would have been obvious to one of ordinary skill in this art to adapt to both Hiroshima and Moyal's systems stuffing bytes to maintain the length of the packet.

16. Regarding claim 12, Hiroshima teaches (abstract and figures 4, 6 and 7) an information processing apparatus, comprising: encoding means for encoding data, generating variable length packet data; judging the packet length and converting the variable length data to fixed length data, wherein the encoding means is connected to the converting means via at least a data bus for

Art Unit: 2665

transmitting the variable length data and a flag bus for transmitting the identification flag information.

17. Hiroshima does not teach a generation means for generating identification flag information for discriminating the packet information wherein the identification flag information is not included in the variable length packet data.

18. Moyal teaches (column 2, line 45 – column 3, line 51 and figure 3) a generation means (22) for generating identification flag information for discriminating the packet information wherein the identification flag information is not included in the variable length packet data (figure 5). It would have been obvious to one of ordinary skill in the art to adapt to Hiroshima Moyal's concept of generating a packet length indicator to obviate the need for length of the packet to be counted over and over again in the course of processing.

19. Regarding claim 14, Hiroshima teaches (figure 4) the converting means is connected to a plurality of encoding means via data bus.

20. Regarding claim 26, Hiroshima teaches (abstract and figure 4, 6 and 7) an information processing apparatus comprising: input means for inputting variable length packet data including packet length information indicative of a packet length and encoded information data; distinguishing the packet length information included in said packet data in accordance with said identification flag information and judging the packet length of said packet data; generating said variable length packet data into fixed length packet data in accordance with an output of said

Art Unit: 2665

judgment means, and transmitting the fixed length packet data; and a clock reference information generating means for use in a time reference during decoding of encoded data.

21. Hiroshima does not teach a generation means for generating identification flag information for discriminating the packet information wherein the identification flag information is not included in the variable length packet data.

22. Moyal teaches (column 2, line 45 – column 3, line 51 and figure 3) a generation means (22) for generating identification flag information for discriminating the packet information wherein the identification flag information is not included in the variable length packet data (figure 5). It would have been obvious to one of ordinary skill in the art to adapt to Hiroshima Moyal's concept of generating a packet length indicator to obviate the need for length of the packet to be counted over and over again in the course of processing.

23. Claims, 19-21 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nuber in view of Hiroshima (U.S. 5801781).

24. Regarding claims 19-21 and 23-25, as mentioned above, Nuber teaches the limitations of claims 18, 22.

25. Nuber does not teach conformance to ISO/IEC 13818-1 and 13818-2.

26. As mentioned above Hiroshima teaches:

Regarding claims 19 and 23, the variable length packet data is PES conforming to ISO/IEC 13818-1, and the fixed length packet data is TS conforming to ISO/IEC 13818-

Art Unit: 2665

1.

Regarding claim 20 and 24, the clock reference information is PCR conforming to ISO/IEC 13818-1.

Regarding claim 21 and 25, Hiroshima teaches (column 1) the information data is image data, and is encoded in conformity with ISO/IEC 13818-2.

27. It would have been obvious to one ordinary skill in this art to adapt to Nuber's system Hiroshima's use of ISO/IEC 13818-1 and 13818-2 as it is well known in the art

***Claim Rejections - 35 USC § 102***

28. Claims 18, 22, and 27-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Nuber (U.S. 5598415).

29. Regarding claim 18, Nuber teaches (abstract and figures 2-4) an information processing apparatus comprising: generating means for generating variable-length packets including encoded information; generating means for generating and transmitting fixed-length packet data from the variable length packets; and generating means for generating clock reference information for use in a time reference during decoding wherein the second generating means operates within a predetermined time interval (column 8, line 50 – column 9, line 15).



Art Unit: 2665

30. Regarding claim 22, Nuber teaches (abstract and figures 2-4) an information processing apparatus comprising: first generating means for generating variable length packet data including encoded information data; second generating means for generating and transmitting first fixed length packet data from the variable length packet data generated by the first generating means; and generating means for generating program specific information indicative of a program specific of the first fixed length packet data, wherein the second generating means operates within a predetermined time interval (column 8, line 50 – column 9, line 15).

31. Regarding claim 27, Nuber teaches (abstract and figures 2-4) a information processing method comprising: generating variable length packets included encoded information data; generating and transmitting first fixed length packet data from variable length data; and generating clock reference information for use in a time reference during decoding of the encoded information (column 11, line 27 – column 12, line 57), wherein the fixed length generating step includes a step of generating second fixed length packet data including the clock reference information and transmitting it within a predetermined time interval, and a step of transmitting it when there is no effective first fixed length packet within a predetermined interval (column 8, line 50 – column 9, line 15).

32. Regarding claim 28, Nuber teaches (abstract and figures 2-4) a information processing method comprising: generating variable length packets included encoded information data; generating and transmitting first fixed length packet data from variable length data; and generating program specific information (MPEG) indicative of a program specific of the first

Art Unit: 2665

fixed length packet, wherein the fixed length generating step includes a step of generating second fixed length packet data including the program specific information MPEG) and a step of transmitting it when there is no effective first fixed length packet within a predetermined interval, and a step of transmitting it when there is no effective first fixed length packet within a predetermined interval.

33. Regarding claim 29-31, Nuber teaches (column 8) a storage medium for storing information processing program and read by a computer.

### ***Conclusion***

34. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

35. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2665

36. Any inquiry concerning the communication or earlier communications from the examiner should be directed to Roberta Stevens whose telephone number is (703) 308-6607. The examiner can normally be reached on Monday through Friday from 9:00 am to 5:30 p.m.

37. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor can be reached on (703) 308-6602.

38. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 305-3900.

39. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:** (703) 872-9306

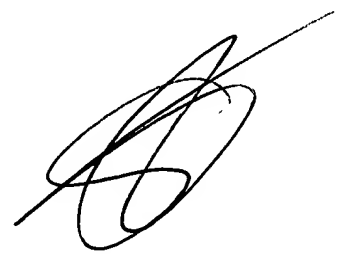
For informal draft communications, please label "PROPOSED" or "DRAFT"

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA. Sixth Floor (Receptionist).

Roberta A. Stevens

Patent Examiner

02-19-04



STEVEN H.D NGUYEN  
PRIMARY EXAMINER